

House File 2262 - Introduced

HOUSE FILE 2262

BY WOLFE

A BILL FOR

1 An Act relating to the removal of charge records from the
2 Iowa court information system and the expungement of such
3 records.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 901C.1 Not guilty verdicts and
2 dismissals — expungement.

3 1. When a person is found not guilty of a charge or when a
4 charge is dismissed against a person, except if the charge is
5 subject to section 907.4, the state court administrator shall
6 cause the records of the charge to be removed from the Iowa
7 court information system so that the charge records are not
8 available to the general public.

9 2. Within one year of the person being found not guilty of a
10 charge or when a charge is dismissed against the person, except
11 as provided in section 907.9, the charge shall be expunged by
12 the clerk of the district court. For purposes of this section,
13 "expunged" means the same as provided in section 907.1.

14 Sec. 2. Section 907.9, subsection 4, paragraph c,
15 unnumbered paragraph 1, Code 2014, is amended to read as
16 follows:

17 A Except as provided in section 901C.1, a dismissed count or
18 related charge shall be expunged pursuant to the provisions of
19 paragraph "b" in the following manner:

20 EXPLANATION

21 The inclusion of this explanation does not constitute agreement with
22 the explanation's substance by the members of the general assembly.

23 This bill relates to the removal of charge records from
24 the Iowa court information system and the expungement of such
25 records.

26 The bill directs the state court administrator to remove
27 charge records from the Iowa court information system that is
28 available to the general public if a person is found not guilty
29 of that charge or that charge is dismissed, unless the charge
30 is subject to the expungement provisions of Code section 907.9.

31 The bill specifies that within one year of a person being
32 found not guilty of a charge or when a charge is dismissed
33 against the person, the charge shall be expunged by the clerk
34 of the district court, unless the charge is subject to the
35 expungement provisions of Code section 907.9.

H.F. 2262

1 Code section 907.1 defines "expunged" to mean the court's
2 criminal record with reference to a deferred judgment or any
3 other criminal record that has been segregated in a secure area
4 or database which is exempted from public access.